

BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED
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ADMINISTRATIVE HEARING
COMMISSION

DOUGLAS M. OMMEN, Director)
Department of Insurance, Financial)
Institutions & Professional Registration)
State of Missouri,)

Petitioner,)

vs.)

MELISSA L. PELL,)

Respondent.)

Serve:)

1514 Maple St.)
Kenova, WV 25530)
(304) 453-5613)

Case No.: 070924365C

COMPLAINT

DOUGLAS M. OMMEN, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, through counsel, complains and requests the Administrative Hearing Commission find that cause exists for disciplinary action against Respondent, Melissa L. Pell, because:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director of the Department of Insurance, Financial Institutions and Professional Registration ("the Director"). The Director has the duty to administer Chapters 374 and 375, RSMo, which includes the supervision, regulation, and discipline of insurance companies, agencies and producers licensed to operate and conduct business in the state of Missouri.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("the Department") issued Melissa L. Pell ("Respondent") an insurance producer license on February 16, 2001, which is currently active and set to expire on February 18, 2009 (License Number PR105760).

3. The Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo (Supp. 2006).

COUNT I

4. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3.

5. Respondent has had an insurance producer license, or its equivalent, denied, suspended or revoked in another state, province, district or territory, which is a ground for discipline under § 375.141.1(9), RSMo (Supp 2007).

6. The facts are as follows:

a. On or about November 15, 2006, Respondent stipulated to the revocation of her New York insurance agent license and New York revoked her license.

7. As a result, sufficient grounds exist for disciplining Respondent's insurance license pursuant to § 375.141.1(9), RSMo (Supp. 2007).

COUNT II

8. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3.

9. Respondent has had an insurance producer license, or its equivalent, denied, suspended or revoked in another state, province, district or territory, which is a ground for discipline under § 375.141.1(9), RSMo (Supp 2007).

10. The facts are as follows:

- a. On or about December 2 , 2005, Iowa revoked Respondent's insurance agent license.
- b. On or about March 13, 2007, Respondent reported to the Director that her Iowa insurance agent license had been revoked.

11. As a result, sufficient grounds exist for disciplining Respondent's insurance license pursuant to § 375.141.1(9), RSMo (Supp. 2007).

COUNT III

12. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3.

13. Respondent has had an insurance producer license, or its equivalent, denied, suspended or revoked in another state, province, district or territory, which is a ground for discipline under § 375.141.1(9), RSMo (Supp 2007).

14. The facts are as follows:

- a. On or about February 1, 2005, Massachusetts revoked Respondent's insurance producer license.
- b. On March 13, 2007, Respondent reported to the Director that her Massachusetts insurance producer license had been revoked.

15. As a result, sufficient grounds exist for disciplining Respondent's insurance license pursuant to § 375.141.1(9), RSMo (Supp. 2007).

COUNT VI

16. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3.

17. Respondent has had an insurance producer license, or its equivalent, denied, suspended or revoked in another state, province, district or territory, which is a ground for discipline under § 375.141.1(9), RSMo (Supp 2007).

18. The facts are as follows:

- a. On or about May 12, 2004, Virginia revoked Respondent's insurance agent license.
- b. On March 13, 2007, Respondent reported to the Director that her Virginia insurance agent license was revoked.

19. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(9), RSMo (Supp. 2007).

COUNT VII

20. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3.

21. Respondent has violated insurance laws of another state, which is a ground for discipline under § 375.141.1(2), RSMo (Supp. 2007).

22. The facts are as follows:

- a. On September 24, 2003, Janie A. Miller, the Commissioner of the Kentucky Department of Insurance found Respondent violated KRS 304.9-105, KRS 304.9-140, KRS 304.9-440(1)(a) and KRS 304.9-440(1)(p) and ordered Respondent to pay a civil penalty of \$500.00.

23. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2007).

COUNT VIII

24. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3 and 8-11.

25. Respondent has violated insurance laws of this state, which is a ground for discipline under § 375.141.1(2), RSMo (Supp. 2007).

26. Respondent failed to report to the Director the revocation of her Iowa insurance agent license within thirty days of the final disposition of the matter, a violation of § 375.141.6, RSMo (Supp. 2007).

27. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2007).

COUNT IX

28. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3 and 12-15.

29. Respondent has violated insurance laws of this state, which is a ground for discipline under § 375.141.1(2), RSMo (Supp. 2007).

30. Respondent failed to report to the Director the revocation of her Massachusetts insurance producer license within thirty days of the final disposition of the matter, a violation of § 375.141.6, RSMo (Supp. 2007).

31. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2007).

COUNT X

32. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3 and 16-19.

33. Respondent has violated insurance laws of this state, which is a ground for discipline under § 375.141.1(2), RSMo (Supp. 2007).

34. Respondent failed to report to the Director the revocation of her Virginia insurance agent license within thirty days of the final disposition of the matter, a violation of § 375.141.6, RSMo (Supp. 2007).

35. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2007).

COUNT XI

36. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-3 and 20-23.

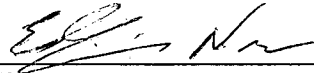
37. Respondent has violated insurance laws of this state, which is a ground for discipline under § 375.141.1(2), RSMo (Supp. 2007).

38. Respondent failed to report to the Director the discipline of her Kentucky insurance producer license within thirty days of the final disposition of the matter, a violation of § 375.141.6, RSMo (Supp. 2007).

39. As a result, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2007).

WHEREFORE, based on the foregoing, Petitioner respectfully requests that the Commission make findings of fact and conclusions of law stating that Petitioner has established cause to discipline Melissa L. Pell's insurance producer license pursuant to §§ 375.141.1(2) and 375.141.1(9), RSMo (Supp. 2007).

Respectfully submitted,



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